



February 28, 2003

HOUSE BILL No. 1761

DIGEST OF HB 1761 (Updated February 27, 2003 11:15 AM - DI 14)

Citations Affected: IC 31-9; IC 31-33; IC 31-34.

Synopsis: Child abuse reporting. Provides that child protective services (CPS) shall conduct in-home visits at least once every 30 days to ensure compliance with a: (1) voluntary services referral agreement; or (2) program of informal adjustment. Provides that a CPS report compiled following an investigation of child abuse or neglect may conclude that abuse or neglect is indicated. (Current law allows only substantiated and unsubstantiated findings.)

Effective: July 1, 2003.

Avery, Summers

January 21, 2003, read first time and referred to Committee on Human Affairs.
February 26, 2003, reported — Do Pass. Recommitted to Committee on Ways and Means.
February 27, 2003, amended, reported — Do Pass.

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HB 1761—LS 7624/DI 105+



February 28, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1761

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-9-2-58.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 58.5. "Indicated", for purposes of IC 31-33-8-12,**
4 **means facts obtained during an investigation of suspected child**
5 **abuse or neglect that:**

6 (1) **provide:**

7 (A) **significant indications that a child may be at risk for**
8 **abuse or neglect; or**

9 (B) **evidence that abuse or neglect previously occurred;**
10 **and**

11 (2) **cannot be classified as substantiated or unsubstantiated.**

12 SECTION 2. IC 31-33-5-1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. In addition to any
14 other duty to report arising under this article, an individual who has
15 reason to believe that a child is a victim of child abuse or neglect (**as**
16 **defined in IC 31-9-2-133**) shall make a report as required by this
17 article.

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1 SECTION 3. IC 31-33-8-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. Upon completion
3 of an investigation, the local child protection service shall classify
4 reports as substantiated, **indicated**, or unsubstantiated.

5 SECTION 4. IC 31-33-13-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A person who is
7 accused of child abuse or neglect may enter into a voluntary services
8 referral agreement with the local child protection service under this
9 chapter. Under the terms of the agreement, the person shall
10 successfully participate in and complete any family or rehabilitative
11 services recommended by the local child protection service.

12 **(b) The local child protection service shall conduct or arrange**
13 **for in-home visits at least once every thirty (30) days for the**
14 **duration of the voluntary services referral agreement to ensure**
15 **compliance with the terms of the agreement.**

16 SECTION 5. IC 31-34-8-5 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. Whenever the court
18 approves a program of informal adjustment arising out of a child abuse
19 or neglect report, the local child protection service shall:

- 20 (1) transmit the report to the child abuse registry within five (5)
21 working days as required by IC 31-33-8-13; **and**
22 (2) **conduct or arrange for in-home visits at least once every**
23 **thirty (30) days for the duration of the program of informal**
24 **adjustment to ensure compliance with the terms of the**
25 **program.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred House Bill 1761, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

SUMMERS, Chair

Committee Vote: yeas 10, nays 0.

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HB 1761—LS 7624/DI 105+



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1761, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 16 through 42.

Delete page 3.

Page 4, delete line 1.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1761 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 25, nays 0.

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